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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,132	07/10/2003	David Chisnall	ASF-2	1443
22827	7590	01/12/2006	EXAMINER	
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			LOWE, MICHAEL S	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,132

Applicant(s)

CHISNALL, DAVID

Examiner

M. Scott Lowe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,9,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,9,11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/05 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,8,9 are rejected under 35 U.S.C. 102(b) as being anticipated by Bradley (US 6,315,181).

Re claims 1,8,9, Bradley teaches a moveable stowage assembly 10 for a firetruck or emergency vehicle (column 4, line 25), comprising:
a longitudinal member (various apply, 20, 28, etc.) disposed on a top surface of the firetruck configured for moving a stowed ladder (emergency equipment) L;
attachment means 14 (or also 20,38,etc.) for connecting the stowed ladder L to the longitudinal member, the attachment means being adapted to travel along the longitudinal member;

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first powered means 92,68,64,(or gravity, etc.) defining a closed loop (meets Meriam-Webster's 10th edition collegiate dictionary definition of a loop: "to move in loops or an arc", "...a closed or partly open curve...", etc.) for moving the attachment means 14 (or also 20,38,etc.) between a stowed position and an access position;

a base member 20,14 secured pivotally to the top surface of the firetruck, the longitudinal member (various apply, 20, 28, etc.) being moveable over the base member by second powered means 92,68,64,(or gravity, etc.) for moving the longitudinal member between a stowed position and an access position;

means 92,68,64,(or gravity, etc.) for releasably securing the longitudinal member in the stowed position first stop means 92,68,64,(or gravity, etc.) to hold the longitudinal member in an access position on the base member;

third powered means 92,68,64,(or gravity, etc.) for pivotally moving the base member between stowed position and an access position; and

second stop means 92,68,64,(or gravity, etc.) for holding the base member in the access position.

Re claim 4, Bradley teaches the third powered means 92,68,64, (or gravity, etc.) being an actuator.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,3,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradley (US 6,315,181) in view of Schatzler (US 2002/0076312).

Re claims 2,3,11 Bradley teaches that various modifications and variations are within the teaching of his invention but does not mention the closed loop formed by one of a belt, a chain and combinations thereof running around a plurality of sprockets, at least one sprocket being power driven. Schatzler teaches multiple powered means with a closed loop formed by a belt running around a plurality of sprockets, at least one sprocket being power driven to allow for easier loading and unloading of cargo (column 1, paragraph 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Bradley by the general teaching of Schatzler to have first and/or second powered means be a closed loop formed by one of a belt running around a plurality of sprockets, at least one sprocket being power driven as a functionally equivalent powered means and to allow for easier loading and unloading of cargo.

Claim 5 is rejected under 35 U.S.C. 102(b) as anticipated by Bradley (US 6,315,181) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Bradley (US 6,315,181) in view of Monroig (US 6,413,033).

Re claim 5, Bradley teaches the third powered means 92,68,64, (or gravity, etc.) being pneumatic (64). If it is determined that Bradley's third powered means 64 is not powered than it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Bradley by the general teaching of Monroig

(item 38) to have the cylinder be hydraulic in order to save money by using a known type of cylinder and to provide greater movement control.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Bradley (US 6,315,181) in view of Reimer (US 5,346,355).

Re claim 6, Bradley does not mention a sensor being configured to sense a movement of the stowage assembly.

Rierner teaches sensors (limit switches, solenoids, columns 8-9) configured to sense a movement of the stowage to sequence and regulate movement of the stowage 82 (etc.) in order to prevent any improper movement (column 8, line 46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Riecki by the general teaching of Rierner to automate the carrier and have a sensor configured to sense a movement of the stowage to sequence and regulate movement of the stowage in order to prevent any improper movement.

Claim 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradley (US 6,315,181) in view of Rierner (US 5,346,355).

Re claim 12, Bradley does not teach remote control. Rierner teaches use of remote controls (column 2, lines 19-22) to reduce the workload of the user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Bradley by the general teaching of Rierner to use remote controls to reduce the workload of the user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Latino (US 4,875,526) teaches firetrucks with removable equipment.

Abner (US 5,012,880) teaches emergency vehicles with removable equipment.

Simmons (US 5,573,300) teaches firetrucks with a removable ladder.

Carrier (US 6,029,750) teaches firetrucks with removable equipment.

Szigeti (US 6,158,638) teaches vehicles with a removable roof-stowage.

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. The prior art retained in this rejection is applied to a new base reference and the arguments do not apply to the current combination used in this rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Scott Lowe whose telephone number is (571) 272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

msl



EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600